

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN
COURT MINUTES & ORDER

CHAPTER 7
DATE: October 18, 2010
JUDGE: Margaret Dee McGarity
CASE NO.: 10-34729-MDM
DEBTOR: Cherisse L. Rodriguez
NATURE OF HEARING: Hearing on order to show cause (1) why case should not be dismissed for failure to sign schedules; (2) why fees should not be disgorged for failure to provide adequate services to the debtor; and (3) for further sanctions.
APPEARANCES: Amy Ginsberg, Trial Attorney for U.S. Trustee
Dawn Gomez Bess, Petition Preparer
Cherisse L. Rodriguez, Debtor/Pro Se
COURTROOM DEPUTY: Carolyn A. Belunas
TIME: 1:05 - 1:22 pm

Ms. Rodriguez asserted she did not receive copies of her petition and schedules from Ms. Gomez Bess until after the completed, but unsigned, schedules were filed with the court.


The court heard testimony from Ms. Gomez Bess with regard to her business as a bankruptcy petition preparer. She was unaware that someone from her office filed Ms. Rodriguez' schedules unsigned. She alleged she sold her business to Christine Lauth on October 14, 2010, and she will no longer prepare bankruptcy petitions and schedules until she obtains her law degree.

Decision

Ms. Gomez Bess, a bankruptcy petition preparer, is in violation of § 110(d), for failure to furnish a copy of the signed schedules to the debtor prior to the schedules being filed with the court. Ms. Gomez Bess will disgorge \$150 as sanctions, to be paid directly to Cherisse L. Rodriguez, within thirty (30) days, with proof of payment to the court.

Dawn Gomez Bess is enjoined from filing any future bankruptcy cases as a petition preparer in the Eastern District of Wisconsin after today.

SO ORDERED.
October 21, 2010



Margaret Dee McGarity
United States Bankruptcy Judge